

## II. REMARKS

1. Claims 1-5 and 7-11 remain in the application.
2. Applicants respectfully submit that claims 1-5 and 7-11 are not anticipated by Fujita (US 6,115,886).

2.1 Fujita fails to disclose or suggest that the first portion is acted upon by a biasing force in a direction parallel to the common axis of rotation which is provided by elastic energy stored by the second portion (emphasis added).

The Office Action equates Applicant's second portion extending radially beyond the bearing surface of the first portion to Fujita's portion of cam member 8 adjacent to item 8b. Applicant submits that this portion adjacent to item 8b does not store or provide elastic energy. This portion appears as a surface of slide cam 8 and thus is incapable of storing elastic energy in the way specified by claim 1.

In addition, Applicant submits that there is no suggestion in Fujita related to the portion adjacent to item 8b storing elastic energy, and no reason, given the way the assembly in Fujita operates, for one skilled in the art to modify Fujita's assembly so that item 8b can store elastic energy.

2.2 Fujita also fails to disclose or suggest the housing part having a hinge surface, the hinge surface cooperating with the bearing surface of the first portion.

Applicant finds no disclosure or suggestion related to this hinge surface feature in Fujita and finds nothing in the present Office Action that indicates that Fujita anticipates this feature.

2.3 Furthermore, Applicant respectfully disagree with the correspondence made between the elements of Fujita and the present invention, and submits that they are erroneous in a number of important respects:

2.3.1 The Office Action states that Fujita discloses "a hinge including shaft (1,8) and housing (4, 5, 6) portions." However, this interpretation fails to anticipate claim 1 because claim 1 states that the shaft part and the housing part are "relatively moveable about a common axis of rotation." It can clearly be seen that deformed shaft 4 and cylindrical shaft 5 of Fujita absolutely cannot be relatively moveable with respect to shaft 1 because they are actually part of shaft 1. Furthermore, deformed shaft 4 and cylindrical shaft 5 absolutely cannot be relatively moveable with respect to slide cam 8 about a common axis of rotation because slide cam 8 is keyed against rotational movement relative to the deformed shaft 4 by virtue of the flattened sides of deformed shaft 4 cooperating with the flattened interior surfaces of the deformed insertion hole 8a.

2.3.2 The Office Action states that Fujita discloses that "[T]he shaft has a portion (8) carrying a bearing surface (8a) and a portion extends radially beyond the bearing surface (adjacent 8b)". Applicant submits that this interpretation fails to anticipate claim 1 because claim 1 recites "the hinge surface [housing part] cooperating with the bearing surface [shaft part]." It can clearly be seen in Fujita that if the deformed insertion hole 8a is supposed to be the bearing surface, it does not cooperate with a hinge surface of the housing part because it is, in fact, cooperating with the deformed shaft 4. Although the Office Action suggests that the housing of claim 1 corresponds to a combination of the deformed

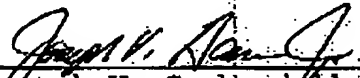
shaft 4, the cylindrical shaft 5, and the cam 6, Applicant considers such an interpretation to be misapplied because it is not possible to see how the cylindrical shaft 5 can "house" anything.

At least for these reasons, Applicants respectfully submit that Fujita does not anticipate claim 1 and its dependent claims, 2-5 and 7-9. Independent claim 10 is directed to similar subject matter and therefore, along with dependent claim 11, is also not anticipated by Fujita.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Joseph V. Gamberdell, Jr.  
Reg. No. 44,695

2/10/04  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to 703-305-3597 on the date indicated below, addressed to Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313-1450

Date: 2/10/04

Signature: Doris W. Perman

Person Making Deposit